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May 28, 2010

ELECTRONICALLY FILED

Hon. Michael A. Shipp, U.S.M.J.
District of New Jersey
Martin Luther King, Jr. Federal Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

Renaissance Carpet and Tapestries, Inc. v. S&H Rugs, Inc. et ano.
Civil Action No. 09 -CV- 00632 (SRC-MAS)

Dear Judge Shipp:

The parties in the above-entitled action submit the following joint status report pursuant to the Court's order of May 13, 2010.

Pleadings and Parties

The pleadings were closed with defendants' filing of an Answer on September 29. The time to seek leave to amend pleadings has passed.

Discovery

The parties exchanged Initial Disclosures in timely fashion. Plaintiff and both the corporate and the individual defendant have posed interrogatories, and both corporate parties have served demands for the production of documents. Plaintiff has served requests for admissions. Plaintiff's notice of the individual defendant's deposition for May 25 has been adjourned at defendants' request to June 10.

Disagreements regarding responses to discovery requests are under discussion.

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Plaintiff has also been seeking for several months to inspect carpets at defendants' premises. Defendants have agreed to the inspection, and maintain that the only delay is formalizing a date. Defendants maintain that they have for months sought an inspection of the plaintiff's catalogue, in order to: (1) ameliorate damages by removing any further allegedly copyrighted material from its saleable inventory, and (2) avoid the purchase of any allegedly copyrighted material in the future. Plaintiff disagrees with this characterization, stating that, last month, defendants asked plaintiff to provide it with advisory opinions whether proposed purchases of designs not at issue in this action would infringe plaintiff's designs.

Negotiations

A settlement conference held before Your Honor on March 12, 2010, was unsuccessful. No further settlement discussions have been held.

Further Proceedings

The scheduling of dispositive motions, expert discovery, a pretrial order and pretrial conference, are set in the Court's Scheduling Order of December 3, 2009, the last of those being the final pretrial conference on November 29.

Very respectfully,



Ronald W. Meister
Attorney for Plaintiff



Alan M. Friedman
Attorney for Defendants